

104TH CONGRESS
1ST SESSION

H. R. 882

To amend title 38, United States Code, to require the establishment of mammography quality standards to be applicable to the performance of mammograms by the Department of Veterans Affairs.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 9, 1995

Mr. QUINN introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to require the establishment of mammography quality standards to be applicable to the performance of mammograms by the Department of Veterans Affairs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Department of Veter-
5 ans Affairs Mammography Quality Standards Act”.

6 **SEC. 2. MAMMOGRAPHY QUALITY STANDARDS.**

7 (a) IN GENERAL.—(1) Subchapter II of chapter 73
8 is amended by adding at the end the following new section:

1 **“§ 7319. Mammography quality standards**

2 “(a) A mammogram may not be performed at a De-
3 partment facility unless that facility is accredited for that
4 purpose by a private nonprofit organization designated by
5 the Secretary. An organization designated by the Sec-
6 retary under this subsection shall meet the standards for
7 accrediting bodies established under section 354(e) of the
8 Public Health Service Act (42 U.S.C. 263b(e)).

9 “(b) The Secretary, in consultation with the Sec-
10 retary of Health and Human Services, shall prescribe
11 quality assurance and quality control standards relating
12 to the performance and interpretation of mammograms
13 and use of mammogram equipment and facilities of the
14 Department of Veterans Affairs consistent with the re-
15 quirements of section 354(f)(1) of the Public Health Serv-
16 ice Act. Such standards shall be no less stringent than
17 the standards prescribed by the Secretary of Health and
18 Human Services under section 354(f) of the Public Health
19 Service Act.

20 “(c)(1) The Secretary, to ensure compliance with the
21 standards prescribed under subsection (b), shall provide
22 for an annual inspection of the equipment and facilities
23 used by and in Department health care facilities for the
24 performance of mammograms. Such inspections shall be
25 carried out in a manner consistent with the inspection of
26 certified facilities by the Secretary of Health and Human

1 Services under section 354(g) of the Public Health Service
2 Act.

3 “(2) The Secretary may not provide for an inspection
4 under paragraph (1) to be performed by a State agency.

5 “(d) The Secretary shall ensure that mammograms
6 performed for the Department under contract with any
7 non-Department facility or provider conform to the quality
8 standards prescribed by the Secretary of Health and
9 Human Services under section 354 of the Public Health
10 Service Act.

11 “(e) For the purposes of this section, the term ‘mam-
12 mogram’ has the meaning given such term in paragraph
13 (5) of section 354(a) of the Public Health Service Act (42
14 U.S.C. 263b(a)).”.

15 (2) The table of sections at the beginning of such
16 chapter is amended by inserting after the item relating
17 to section 7318 the following new item:

“7319. Mammography quality standards.”.

18 (b) DEADLINE FOR PRESCRIBING STANDARDS.—The
19 Secretary of Veterans Affairs shall prescribe standards
20 under subsection (b) of section 7319 of title 38, United
21 States Code, as added by subsection (a), not later than
22 the end of the 120-day period beginning on the later of—

23 (1) the date on which the Secretary of Health
24 and Human Services prescribes quality standards

1 under section 354(f) of the Public Health Service
2 Act (42 U.S.C. 263b(f)); or

3 (2) the date of the enactment of this Act.

4 (c) TRANSITION.—(1) Subsection (a) of section 7319
5 of title 38, United States Code, as added by subsection
6 (a), shall take effect on the date on which standards are
7 prescribed by the Secretary of Veterans Affairs under sub-
8 section (b) of that section.

9 (2) During the transition period, the Secretary of
10 Veterans Affairs may waive the requirement of subsection
11 (a) of section 7319 of title 38, United States Code, as
12 added by subsection (a), to any facility of the Department.
13 The Secretary may provide such a waiver in the case of
14 any facility only if the Secretary determines, based upon
15 the recommendation of the Under Secretary for Health
16 of the Department of Veterans Affairs, that during the
17 period such a waiver is in effect for such facility (including
18 any extension of the waiver under paragraph (3)) the facil-
19 ity will be operated in accordance with standards pre-
20 scribed by the Secretary under subsection (b) of such sec-
21 tion to assure the safety and accuracy of mammography
22 services provided.

23 (3) The transition period for purposes of this section
24 is the six-month period beginning on the date specified in
25 paragraph (1). The Secretary may extend such period for

1 a period not to exceed 90 days in the case of any Depart-
2 ment facility. Any such extension may be made only if the
3 Under Secretary for Health determines that—

4 (A) without the extension access of veterans to
5 mammography services in the geographic area
6 served by the facility would be significantly reduced;
7 and

8 (B) appropriate steps will be taken before the
9 end of the transition period (as extended) to obtain
10 accreditation of the facility as required by subsection
11 (a) of section 7319 of title 38, United States Code,
12 as added by subsection (a).

13 (d) IMPLEMENTATION REPORT.—The Secretary of
14 Veterans Affairs shall submit to the Committees on Veter-
15 ans' Affairs of the Senate and House of Representatives
16 a report on the Secretary's implementation of section
17 7319 of title 38, United States Code, as added by sub-
18 section (a). The report shall be submitted not later than
19 180 days after the date on which the Secretary prescribes
20 the quality standards required under subsection (b) of that
21 section.

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